

District Judge Kymberly K. Evanson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANDREY VAGANOV,

Plaintiff,

v.

UR M. JADDOU, *et al.*,

Defendants.

No. 2:23-cv-1701-KKE

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Noted for Consideration:
December 8, 2023

Plaintiff brought this litigation pursuant to the Administrative Procedure Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate his Form I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently due on January 15, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until May 31, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
2 P. 1.

3 With additional time, this case may be resolved without the need of further judicial
4 intervention. USCIS has scheduled Plaintiff’s asylum interview for January 31, 2024. USCIS
5 agrees to diligently work towards completing the adjudication within 120 days of the interview,
6 absent unforeseen or exceptional circumstances that would require additional time for
7 adjudication. If the adjudication is not completed within that time, USCIS will provide a status
8 report to the Court. Plaintiff will submit all supplemental documents and evidence, if any, to
9 USCIS seven to ten days prior to the interview date. Plaintiff recognizes that failure to submit
10 documents prior to the interview may require the interview to be rescheduled and the adjudication
11 delayed. If needed, Plaintiff will bring an interpreter to the interview, otherwise the interview will
12 need to be rescheduled and the adjudication delayed. If USCIS needs to reschedule Plaintiff’s
13 interview, USCIS will make its best efforts to do so within four weeks of the initial appointment
14 and as interview appointment availability allows. After the interview, USCIS will need time to
15 adjudicate Plaintiff’s asylum application. Once the application is adjudicated, Plaintiff will
16 dismiss the case with each party to bear their own litigation costs and attorneys’ fees. Accordingly,
17 the parties request this abeyance to allow USCIS to conduct Plaintiff’s asylum interview and then
18 process his asylum application.

19 As additional time is necessary for this to occur, the parties request that the Court hold the
20 case in abeyance until May 31, 2024. The parties will submit a joint status report on or before
21 May 31, 2024.

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23 //

1 Dated: December 8, 2023

Respectfully submitted,

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8 ***I certify that this memorandum contains***
9 ***400 words, in compliance with the Local***
Civil Rules.

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19 *Attorneys for Plaintiff*

ORDER

The case is held in abeyance until May 31, 2024. The parties shall submit a joint status report on or before May 31, 2024. It is so **ORDERED**.

DATED this 11th day of December, 2023.



Kymberly K. Evanson
United States District Judge